

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 17-cr-0194(3) (WMW/TNL)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Jose Andres Vera-Gutierrez,

Defendant.

This matter is before the Court on the January 11, 2018 Report and Recommendation of United States Magistrate Judge Tony N. Leung. (Dkt. 112.) Because no objections have been filed, this Court reviews the Report and Recommendation for clear error. *See* 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59; *United States v. Newton*, 259 F.3d 964, 966 (8th Cir. 2001); *accord Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the Report and Recommendation, the Court finds no clear error.

Based on the Report and Recommendation and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The January 11, 2018 Report and Recommendation, (Dkt. 112), is **ADOPTED**.
2. Defendant Jose Andres Vera-Gutierrez's motion for severance of defendants, (Dkt. 89), is **DENIED WITHOUT PREJUDICE**.

3. Defendant Jose Andres Vera-Gutierrez's motion to suppress witness identifications, (Dkt. 90), is **DENIED AS MOOT**.

4. Defendant Jose Andres Vera-Gutierrez's motion to suppress evidence from search and seizure, (Dkt. 91), is **DENIED**.

5. Defendant Jose Andres Vera-Gutierrez's motion to suppress wiretap evidence, (Dkt. 92), is **DENIED**.

Dated: March 5, 2018

s/Wilhelmina M. Wright

Wilhelmina M. Wright
United States District Judge